

REMARKS

Claims 5-6, 8-10, 20-27, 32, 34-37, and 39-51 are pending in this application. Claims 9, 21, 32, 39 and 45 are independent. In light of the amendments and remarks contained herein, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections.

In the outstanding Official Action, the Examiner objected to claims 5-6, 8, 32, and 44-51 based on minor informalities. The Examiner further rejected claims 37, 39, 41, 42, 44, 45, 49 and 51 under 35 U.S.C. § 102(b) as being anticipated by *Ito et al.* (USP 5,970,285); and rejected claims 36, 43, and 48 under 35 U.S.C. § 103(a) as being unpatentable over *Ito et al.* in view of *Inoue et al.* (USP 5,937,245).

Applicants wish to thank the Examiner for allowing claims 9-10 and 20-27 and further for indicating that claims 5, 6, 8, 32, 34, 35, 40, 46, 47, and 50 include allowable subject matter.

Claim Objections

The Examiner objected to claims 5-6, 8, 32, and 44-51 based on lack of antecedent basis of certain claim terms. By this amendment, Applicants have amended these claims solely to address the Examiner's claim objections and to correct the antecedent errors. Based upon these amendments, it is respectfully requested that the outstanding objection be withdrawn.

Claim Rejections – 35 U.S.C. § 102

The Examiner rejected claim 39 asserting *Ito et al.* anticipates the present invention. Specifically, the Examiner recites in the outstanding Official Action as follows:

The magnetic brush 2, as in Fig. 4, shows its magnetic sleeve 21 not in contact with the image holding body 1....Then the residual toner particles are recovered from the image holding body 1 onto the magnetic brush 2 or electrification member 2.

As can be seen from above, on the one hand the Examiner relies on magnetic sleeve 21 to teach an electrification member. However, later on in the rejection, the Examiner relies on the

magnetic brush 2 or electrification member 2 to support the assertion that *Ito et al.* discloses the residual particles being recovered from the image holding body. These two statements appear to be in conflict with each other. If the Examiner is relying upon sleeve 21 to teach the electrification member, as can be seen in either Figure 1 or Figure 4 of *Ito et al.*, then it is the magnetic brush 22, making contact with the image holding body, that attracts a leftover developer component that is leftover on the image holding body after the transcription. Alternatively, if the Examiner is relying upon magnetic brush 2 to teach the electrification member of the present invention, it is clear from Figure 1 and Figure 4 of the *Ito et al.* that magnetic brush 2 is, in fact, in contact with the surface of the image holding body.

In addition to the above argument, *Ito et al.* is directed to a magnetic brush charging system where contact is made. The magnetic brush charging system of *Ito et al.* is clearly different from the claimed invention which is directed to a non-contact type charging roller system. In particular, *Ito et al.* required a magnetic sleeve and a magnetic brush section in order to carry out the function of charging a photosensitive body. In contrast, the claimed invention merely requires a charging roller. Using the charging roller, the surface of the photosensitive body can be charged without the need of another member.

As such, Applicants respectfully submit that *Ito et al.* fails to anticipate the present invention by failing to teach both the electrification member not touching the surface of the image holding body and the electrification member attracting a leftover developer component that is leftover on the image holding body after the transcription.

With regard to claim 45, the Examiner asserts in the rejection that the Applicants have not defined what a "developer supplying means" is. Thus, the Examiner interprets this element being the same element as the electrification member. Applicants respectfully disagree with the Examiner's assertions.

It is clear at least from the exemplary disclosure on page 182 of the specification that Applicants define the developer supplying means as a development roller 73. Further, on page

190 of the specification, Applicants define the electrification member as an electrification roller 82 or an electrification belt. As such, the Examiner's conclusion that these two elements are the same or that these two claim terms can be interpreted as the same element is clearly in contradiction with proper claim construction and further in contradiction to the disclosure of the specification. Therefore, Applicants maintain that the Examiner's rejection is improper and further, that claim 45 is not anticipated by *Ito et al.*

It is respectfully submitted that claims dependent on claims 39 and 45 are allowable based upon their dependency on an allowable claim.

Conclusion

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisin (Reg. No. 52,327) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

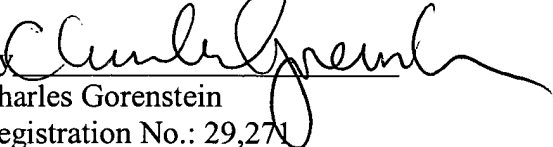
Application No. 10/670,059
Amendment dated December 8, 2005
Reply to Office Action of September 8, 2005

Docket No.: 1248-0669P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: December 8, 2005

Respectfully submitted,

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